

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS**

In re: § **Case No. 20-10712-HCM**
§ **(Chapter 13)**
Denise Anne DeMartino, §
Debtor. §

**DECLARATION OF DENISE ANNE DEMARTINO IN SUPPORT OF OBJECTION
TO CLAIM NO. 2-1 OF INTERNAL REVENUE SERVICE**

I, Denise Anne DeMartino, hereby declare as follows:

1. I have personal knowledge of the facts hereinafter set forth, and if called as a witness, I could and would testify competently thereto.
2. I filed the instant bankruptcy case on June 19, 2020.
3. On July 16, 2020, Internal Revenue Service (“IRS”) filed Claim No. 2-1.
4. I am now objecting to Claim No. 2-1 as it incorrectly lists my 2019 taxes as “estimated” when my 2019 taxes have been filed, and it incorrectly lists the balance for 2019 taxes as \$9,631.60.
5. On or around March 20, 2020, I filed my 2019 taxes by mailing the signed return to the IRS. The balance due on that return was \$5,203.00. A copy of my tax return can be provided to the Court on request, however, I would request the document be filed with restricted access due to the sensitive nature of the information.
6. With the return, I included a payment to the IRS for \$100.00.
7. Attached as Exhibit A is a carbon copy of the check showing the check number as 5219.
8. Attached as Exhibit B is a copy of a page from my March bank statement which shows check number 5219 was cashed on March 26, 2020.

9. As such, I believe the IRS received my 2019 tax return on or before March 26, 2020.

10. I am unable to determine how the IRS arrived at these figures as put forth in Claim No. 2-1.

11. Therefore, I object to IRS's Claim No. 2-1 as it is inaccurate and because it states my 2019 taxes have not been filed.

I declare under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on November 11, 2020, at Austin, TX.

/s/Denise Anne DeMartino
Denise Anne DeMartino